

Message

From: Jarnail A Singh [/O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JARNAIL.A.SINGH6CEADABD-67E9-4ECA-94F2-005716658847]
Sent: 05 Dec 2013 21:21:42
To: David Oliver [GRO]
CC: Belinda Crowe [GRO]; Rodric Williams [GRO]
Subject: RE: Enquiry re: Current Prosecutions
Attachments: image033.jpg; image035.png; image037.png; image039.png; image041.png; image043.jpg; image045.jpg; image047.jpg; image088.jpg; image089.png; image090.png; image091.png; image092.png; image093.jpg; image094.jpg; image095.jpg; image096.jpg; image097.png; image098.png; image099.png; image100.png; image101.jpg; image102.jpg; image103.jpg; image104.jpg; image105.png; image106.png; image107.png; image108.png; image109.jpg; image110.jpg; image111.jpg; image112.jpg; image113.png; image114.png; image115.png; image116.png; image117.jpg; image118.jpg

David

Please see my reply in red below. Give me a call if you want anything clarified or want to discussed.

Regards

Jarnail

Jarnail Singh I Criminal Lawyer

From: David Oliver [mailto:[GRO]]
Sent: 05 December 2013 13:17
To: Jarnail A Singh
Cc: Belinda Crowe; Rodric Williams
Subject: RE: Enquiry re: Current Prosecutions

Jarnail,

Thanks for this.

I have a few questions now and will probably come back with a few more if ok:

On the live prosecution cases can you give me a few paras on why you are proceeding with the POCA enforcement hearings?

There are two scenarios in which we prosecute under POCA

- 1) Where we have had a defendant plead guilty or a defendant has been found guilty. We use the process to get a compensation order payable through the confiscation order. This is the best way to recover POL funds as non payment is backed up by a term of imprisonment.

- 2) Where we have been independently instructed by POL financial investigators to appear at our local Magistrates' Courts in relation to POCA enforcement proceedings. The Regional Recovery Unit ask POL for the attendance of a lawyer which we provide.

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What is a PCMH stage?

The PCMH stage is the Plea and Case Management Hearing where the defendant will either plead guilty or not guilty. This is usually the first hearing after the service of the full set of Prosecution papers in the crown court and is the hearing where the Crown Court makes orders/ give directions for the hearing of a trial where the defendant has pleaded not guilty.

What is a mention before trial?

A mention is literally a hearing where a case is mentioned before a court, usually for a matter of administration. One might mention a case to apply to break a fixture, ask for disclosure, to make sure that all parties are ready for a trial or any one of a hundred reasons that might require the input of all parties and cannot be sorted out by email or letter.

Of the 31 advised on cases how many are being worked on for further evidence, how many has there been advice to charge and how many are awaiting the expert witness? These are not mutually exclusive. As the landscape now stands in most of the cases it is better that we have the expert instructed as any case begun now will attract some type of Horizon issue because this is the passing bandwagon people are jumping on it. When we have a few wins under our belt the Horizon challenges will melt away like midnight snow. In some cases e.g. Redman we do not need the expert as she has made full admissions but the cases where Horizon can be completely ruled out are few and far between even if it only goes to quantum.(value of loss)

Much of the work requested in our charging advices is dotting I's and crossing Ts. Most of the cases advised for charge will be sound prosecutions with comparatively little extra work when we either have an expert's statement in the bundle or we can get one if the Horizon is raised in a case.

If you have any further questions please don't hesitate to get back.

Thanks

David

From: Jarnail A Singh [mailto:jarnail.singh@police.uk] **GRO**
Sent: Thu 05 December 2013 13:09
To: David Oliver
Cc: Belinda Crowe; Rodric Williams
Subject: RE: Enquiry re: Current Prosecutions

David

Following on my discussions with you and Belinda this morning here is a quick note which may help with some of the answers to boards questions ;

LIVE PROSECUTION MATTERS

1. It was regarded acceptable to proceed with.
2. Number of the prosecutions were in the pipeline and currently in Court.
3. Looked at case by case basis and decision made on them to continue.

4. Certain cases terminated after review. Others were safe to continue with-Guilty plea. Admissions and not challenged the Horizon in Court.

i.e. Defendant made full and frank admissions, pleaded guilty ,substantial amount theft of money ,breach of trust, it would have been miscarriage of Justice to let them walk free. therefore prosecution continued.

5.The cases were not stopped because it did not needed to be.

6. Have Post office stopped every single prosecution, what signal would/ does that send out about confidence in the Horizon system.

ADVISED ON (either requested further evidence or advised charges)

Here former General Counsel give instructions that no further summons to be issued for the time being.

1.Security team wished to continue investigating and cases were advice on and prepared for the following reasons:


a) so that evidence was not lost/witnesses recollections deteriorated prior to any statements being taken.

b) So that investigation team could continue to process the work and get the prosecution in ready condition thereby avoiding impossible work load, as and when prosecution is resumed.

Hope this helps .

Regards.

Jarnail Singh I Criminal Lawyer



148 Old Street, LONDON, EC1V 9HQ


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From: Jarnail A Singh

Sent: 04 December 2013 11:47

To: Rodric Williams

Cc: Belinda Crowe

Subject: RE: Enquiry re: Current Prosecutions


Rodric

Please find attached a Current snapshot position of POL prosecution cases.

Let me Know if you need anything further.

Jarnail.

Jarnail Singh I Criminal Lawyer



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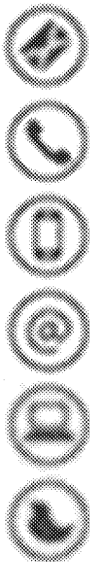
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From: Jarnail A Singh
Sent: 03 December 2013 22:49
To: Rodric Williams
Cc: Belinda Crowe
Subject: RE: Enquiry re: Current Prosecutions

Rodric
I will put together up to date after checking all the present data.
regards

Jarnail Singh I Criminal Lawyer



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From: Rodric Williams
Sent: 03 December 2013 22:30
To: Jarnail A Singh
Cc: Belinda Crowe
Subject: Enquiry re: Current Prosecutions

Jarnail – senior management has asked for the “current position on prosecutions – when paused/what do we have in train”.

Can you please put something together? I’m back in the office tomorrow if we need to discuss.

Thanks, Rodric

Rodric Williams I Litigation Lawyer



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